

REMARKS

In the Office Action mailed June 22, 2006, claim 6 was rejected under 35 U.S.C. 112; claims 1-2, 7-10, 13-14, 17-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tinapple (U.S. Patent No. 3,363,749) in view of Na (Korean Patent Application No. 2003-0065974; claims 1-2, 7-10, 13-14, 17-18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Na in view of Tinapple; claims 3, 5 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tinapple in view of Na and further in view of Kim; claims 4, 6, 11 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tinapple in view of Na and further in view of Kim and either Lancaster (U.S. Patent No. 6,471,067) or Brissier et al. (U.S. Patent No. 4,815,605); and claims 12 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tinapple in view of Na and further in view of Drakenfeld (U.S. Patent No. 343,704). The foregoing rejections are respectfully traversed.

Claims 2, 5, 6, 7, 8, 14 and 18 have been cancelled without prejudice or disclaimer. Claims 1, 5, 13 and 20 have been amended to include the features of cancelled claims 2, 7, 14 and 18, respectively.

Claims 1, 13 and 20 are independent claims. Claims 1, 3, 4, 9-13, 15-17 and 19-20 are currently pending and under consideration. Reconsideration is respectfully requested.

Regarding the 103 rejections:

Neither of the foregoing references relied upon, individually or combined, discuss "an upper shock absorber accommodated in the outer case and connected to an upper part of the refrigerator such that the upper shock absorber covers an entire top surface of the refrigerator, and having a handle accommodating part to accommodate the detachable door handle when detached from the refrigerator **such that the handle accommodating part is grooved to a predetermined depth in the upper shock absorber to prevent the detachable door handle from protruding from an outer surface of the upper shock absorber, when the detachable door handle is accommodated therein and the detachable door handle is forcedly fitted into the handle accommodating part,**" as recited in amended claim 1, for example.

Independent claims 13 and 20 have been amended to recite features somewhat similar to amended claim 1. Thus, these comments may also be applied to the rejections of these claims.

Instead, as previously mentioned, Tinapple discusses a major appliance packaging arrangement including a top cap portion and a base portion including skid means and a collar

(see column 1, lines 58-60). The top cap having a recess shaped to conform to the outline of the refrigerator as shown in FIG. 1. The base portion having a platform, which is attached to the bottom of the refrigerator by bolts. Further, the handles are not detached and lie within the confines of an imaginary rectangular column created by the cap and collar of the package arrangement (see column 3, lines 1-4 and 12-17). That is, in Tinapple the handles remain attached to the refrigerator during packaging.

As previously mentioned, Na discusses a handle packaging structure of a refrigerator having a handle part fastening groove formed on a buffer supporting material supporting the main body of the refrigerator. A handle part is inserted and fastened to the handle part fastening groove. The four corners of the main body are supported with the buffer supporting material and the entire handle is wrapped by a paper box in a state that the front surface of the door of the refrigerator is supported with a buffer supporting board (see Abstract and FIG. 4).

In Na, the handle part is inserted and fastened to the handle part fastening groove at a front surface of the refrigerator. The handle part fastening groove is not located at an upper portion or on a bottom of the refrigerator. As mentioned in the Abstract, **the handle part 110 must be fastened to the handle part fastening groove 111.**

At pages 3 and 4 of the Office Action, the Examiner asserts that Na appears to disclose the handle part fastening groove being sized to prevent protruding of the handle part and forcibly fitting the handle within the handle part fastening groove. The Applicant respectfully disagrees with the Examiner.

As the Examiner is aware, Na, except for the Abstract, is in Korean language, and courts have held that reliance on an Abstract of the cited foreign language reference to both disclose all the claimed features and the purported motivation or suggestion for a combination is improper. (See Ex parte Gavin, 62 USPQ 2d 1680, 1683 (BPAI 2001), which states, in part, "generally an abstract does not provide enough information to permit an objective evaluation of the validity of what it describes...It is our opinion that a proper examination under 37 CFR §1.104 should be based on the underlying documents and translations, where needed.") Since a proper understanding of what each reference discloses can only be found through a translation of each reference, for example, **whether the handle part fastening groove of Na is grooved to a predetermined depth to prevent the handle part from protruding from an outer surface of buffer support material 102, and whether the handle part of Na is forcibly fitted into the handle part fastening groove.** Thus, the Examiner may not make the assumption that Na discloses these features. Thus, the Applicant respectfully requests a translation of Na be

provided in any future Office Action relying on the same. Accordingly, withdrawal of the rejection of the claims in view of Na is respectfully requested.

The Applicant respectfully submit that the teachings of Tinapple and Na are fundamentally different from each other, and therefore, there is no motivation to combined these references together. Further, unlike Tinapple and Na, the present invention differs in view of a reduction of pack volume. Thus, the combination of Tinapple and Na in view of any of the foregoing references mentioned above, fails to establish a prima facie case of obviousness over the present invention.

The Applicant respectfully submits that various embodiments of the present invention allow the detached handle of the refrigerator to be secured within the handle accommodating part without requiring an additional fastening means. Further, various embodiments of the present invention disclose the handle accommodating part positioned either above a top portion of the refrigerator or underneath a bottom surface of the refrigerator.

Thus, withdrawal of the rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

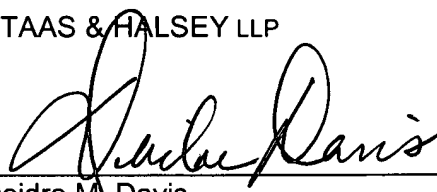
If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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